

FILED
08 JAN -2 PM 1:26
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY WAYNE SMITH

Plaintiff,

vs.

JAMES YATES

Defendant.

C

CASE NO.

08 0007
PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

RMW
(PR)

I, Timothy Wayne Smith, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☐ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 I received Social Security Insurance.
 5 _____
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ☐ No ☒
 10 self employment

11 b. Income from stocks, bonds, Yes ☐ No ☒
 12 or royalties?

13 c. Rent payments? Yes ☐ No ☒

14 d. Pensions, annuities, or Yes ☐ No ☒
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ☐ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ☐ No ☒

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

N/A

5. Do you own or are you buying a home?

Yes ☐ No ☒

Estimated Market Value: \$ N/A Amount of Mortgage: \$ N/A

6. Do you own an automobile?

Yes ☐ No ☒

Make N/A Year N/A Model N/A

Is it financed? Yes ☐ No ☒ If so, Total due: \$ N/A

Monthly Payment: \$ N/A

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes ☐ No ☒ Amount: \$ N/A

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☐ No ☒

8. What are your monthly expenses?

Rent: \$ N/A Utilities: N/A

Food: \$ N/A Clothing: N/A

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on this Account
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
	\$	\$
	\$	\$

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)

3 Court Fines AND Restitution
4 \$ 11,000
5

6 10. Does the complaint which you are seeking to file raise claims that have been presented
7 in other lawsuits? Yes ☐ No ☒

8 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
9 which they were filed.

10 N/A
11

12 I consent to prison officials withdrawing from my trust account and paying to the court
13 the initial partial filing fee and all installment payments required by the court.

14 I declare under the penalty of perjury that the foregoing is true and correct and
15 understand that a false statement herein may result in the dismissal of my claims.

16
17 12/11/07
18 DATE

Donald Wayne Smith
SIGNATURE OF APPLICANT

19
20 Case Number: _____
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